

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

CNG FOODS LLC,

Chapter 7
Case No. 16-43278-nhl

Debtor.
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ORDER ON MOTION FOR RULE 9011 SANCTIONS AND FEES

The alleged debtor, CNG Foods LLC (“CNG”), having made a Motion for Sanctions Pursuant to F.R.B.P. 9011 (“Motion”) [ECF No. 77]; and the Motion having come on for a telephonic hearing before this Court on December 3, 2020 (the “Hearing”); and M. David Graubard, Esq., counsel for CNG, appeared in support of the Motion at the Hearing; and Alhan Usman, Esq. having appeared at the Hearing in opposition to the Motion on behalf of Barry R. Feerst & Associates, Barry R. Feerst, personally, and Eileen Prensky; and Isaac Shteierman having appeared pro-se at the Hearing in opposition to the Motion; and upon the record made before this Court on December 3, 2020, at which time the Court completed the Hearing and took the Motion under advisement; **and CNG having settled the Motion with Eileen Prensky on January 26, 2021 (NHL)**; and this Court having read a Bench Decision (the “Bench Decision”) into the record on April 14, 2021; and upon this Court’s Decision granting CNG’s Motion to Dismiss and for Sanctions, dated July 13, 2020; this Court’s Order granting CNG’s Motion to Dismiss and for Sanctions, dated July 13, 2020; the Judgment, dated July 24, 2020, and the Amended Judgment, dated October 30, 2020; it is hereby

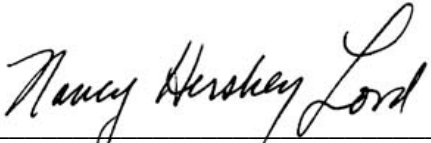
FOUND and DETERMINED that Barry R. Feerst, Esq., personally, as an attorney at law admitted to practice in the Courts of the State of New York, violated Federal Rules of Bankruptcy Procedure 9011 as set forth in the Bench Decision; and it is further

ORDERED, that Barry R. Feerst, Esq., personally, is hereby sanctioned in the sum of \$25,000 for having violated F.R.B.P. 9011, plus the sum of \$5,000 for attorneys' fees and the sum of \$120.50 for expenses of counsel for CNG in connection with the Motion, which he is hereby directed to pay to CNG forthwith; and it is further

ORDERED, that the Motion is hereby denied with respect to petitioning creditors, **Barry R. Feerst & Associates, Isaac Shteierman, and Baruch Aryeh Stern (NHL).**

**Dated: April 18, 2021
Brooklyn, New York**




Nancy Hershey Lord
United States Bankruptcy Judge